

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

v.

SICHUAN CHANGHONG ELECTRIC
COMPANY, LTD.,

Defendant.

CASE NO. C13-02245-JCC

JOINT STIPULATED MOTION AND
[PROPOSED] ORDER REQUESTING
FURTHER EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO
COMPLAINT BY 14 DAYS PURSUANT
TO LCR 7(d)(1)

**NOTE ON MOTION CALENDAR:
April 29, 2014**

STIPULATION

Pursuant to Local Civil Rule 7(d)(1), Plaintiff Microsoft Corporation (“Microsoft”) and Specially Appearing Defendant Sichuan Changhong Electric Company, Ltd. (“Changhong”), by and through their undersigned counsel, stipulate as follows:

WHEREAS, Microsoft initiated this action on December 17, 2013;

WHEREAS, Changhong agreed to waive service of a summons and the complaint in this action;

WHEREAS, upon joint motion of the parties, on February 21, 2014 and March 21, 2014, the Court granted 30-day extensions of time for Changhong to respond to the Complaint;

WHEREAS, Changhong’s current deadline to respond to the Complaint is May 5, 2014;

JOINT STIPULATED MOTION AND [PROPOSED] ORDER
REQUESTING FURTHER EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO COMPLAINT BY 14 DAYS
PURSUANT TO LCR 7(d)(1) - 1
CASE NO. C13-02245-JCC

4838-5850-1402.v1

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1 WHEREAS, on April 7, 2014, the Court on its own initiative and in the interest of judicial
2 economy ordered the Status Conference set for April 15, 2014 rescheduled for June 17, 2014 at
3 9:00 a.m.;

4 WHEREAS, the parties continue to be actively involved in settlement negotiations and the
5 preparation of proposed settlement documentation in an attempt to settle this matter in its early
6 stages;

7 WHEREAS, the parties have been working diligently to resolve this dispute without the
8 Court's intervention;

9 WHEREAS, the parties have made considerable progress since their last motion for
10 extension and remain hopeful that their continued and sustained efforts will result in the removal
11 of this matter from the Court's docket;

12 WHEREAS, by filing this stipulated motion to extend time to respond to the Complaint,
13 Changhong does not make a general appearance or waive any jurisdictional defenses or objections,
14 including but not limited to defenses or objections on the grounds of lack of personal jurisdiction
15 or improper venue. *See Benny v. Pipes*, 799 F.2d 489, 493 (9th Cir. 1986) (filing motion to extend
16 time to respond to complaint did not constitute general appearance or waiver of jurisdictional
17 objections);

18 NOW THEREFORE, in light of the fact that the parties are engaged in continuing,
19 extensive, good faith settlement negotiation and documentation efforts, the parties hereby jointly
20 respectfully request that the deadline for Changhong to respond to the Complaint be extended by a
21 further fourteen (14) days, to and including May 19, 2014.

DATED this 29th day of April, 2014.

K&L GATES LLP
Attorneys for Plaintiff Microsoft Corporation

SUMMIT LAW GROUP PLLC
Attorneys for Specially Appearing Defendant
Sichuan Changhong Electric Company, Ltd.

By /s/ David L. Bateman
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By /s/ Philip S. McCune
By /s/ Denise L. Ashbaugh
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ORDER

Based on the above Stipulation of the parties, IT IS HEREBY ORDERED that
Changhong's deadline to respond to the Complaint shall be extended by fourteen (14) days, to and
including May 19, 2014.

IT IS SO ORDERED

DATED this ____ day of _____, 2014.

THE HONORABLE JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE

Presented by:

K&L GATES LLP
Attorneys for Plaintiff Microsoft Corporation

SUMMIT LAW GROUP PLLC
Attorneys for Specially Appearing Defendant
Sichuan Changhong Electric Company, Ltd.

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